

REMARKS

Claims 1, 4-10, and 13-15 remain in the application. Claims 2, 3, 11, and 12 have been cancelled. Claims 1 and 10 are in independent form.

First, claims 7-15 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, in claim 7, line 4, the Examiner states that it is unclear whether “said pin” is referring to the lock pin introduced in claim 7 or the pivot pin introduced in claim 2. In response, Applicant has amended claim 7 to clearly define reference to the “lock pin”. Additionally, the Examiner states that it is unclear how the “pivot pin” of claim 10 can extend between two ends. In response, Applicant has amended claim 10 to more clearly state “a pivot pin extending longitudinally between a proximal end ... and a distal end”. That is, referring to Figure 7 of the drawings, the pivot pin 133 is an elongated cylindrical shaft having a proximal end 131 and a distal end 135. Finally, the Examiner states that it is unclear in claim 12 to which element the lower arm extends perpendicularly. In response, Applicant has amended claim 10 to more clearly state “each of the front and rear links includes an upper arm pivotally coupled to the seat cushion and a lower arm extending perpendicularly to said upper arm for attachment to the floor”.

Second, claims 1 and 2 stand rejected under 35 USC 102(b) as being anticipated by Austin (USPN 901,581). However, the Examiner has indicated that claims 3-6 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant has amended independent claim 1 to include all of the limitations of claim 2 and allowable claim 3. Claims 2 and 3 have been cancelled. And, claim 4 has been amended to properly depend from amended claim 1.

Finally, claims 10 and 11 stand rejected under 35 USC 102(b) as being anticipated by Martin et al. (USPN 4,957,321). However, the Examiner has indicated that claims 12-15 would be allowable if rewritten to overcome the rejections under 35 USC 112 and to include all of the limitations of the base claim and any intervening claims. In response, Applicant has amended independent claim 10 to include all of the limitations of claim 11 and allowable claim 12. Claims 11 and 12 have been cancelled. And, claim 13 has been amended to properly depend from amended claim 10.

In light of the above amended and remarks, it is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-1759. A duplicate of this form is attached.

Respectfully submitted,



Robin W. Asher, Reg. No. 41,590
Clark Hill PLC
500 Woodward Avenue, Suite 3500
Detroit, MI 48226-3435
(313) 965-8300

Date: 10/06/05
Attorney Docket No: 19365-098771